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FILED

JUL 20 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA
No. DA 09-0340

ROBERT HILTEN and LYNN HILTEN,

Plaintiffs and Appellants,

v.

ROY BRAGG,

Defendant and Appellee

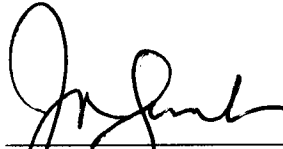
**MOTION TO WITHDRAW
AS COUNSEL OF RECORD**

Jeffrey A. Simkovic, attorney of record for the above-named Plaintiffs, Robert and Lynn Hilten, moves the court to issue its order removing him as attorney for Plaintiff in accordance with Montana Rule of Professional Responsibility 1.16 (5) and/or (6). The basis for this motion is that a conflict of interest has been brought to light.

Counsel for Defense, Tom Singer, has been contacted and stated he has no objection to the filing of this motion.

Plaintiff has been provided with notice of this motion pursuant to §37-61-403, MCA, as shown on this certificate of service.

DATED this 19 day of July, 2010.


Jeffrey A. Simkovic
Attorney for Plaintiff

CERTIFICATE OF SERVICE


I hereby certify that the foregoing, **Motion to Withdraw as Counsel of Record**, was served by United State mail, first class, prepared on this 19 day of July, 2010, upon the following addresses:

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